

*FCC Received May 21, 1993 - 12:55 p.m.*  
*Anna A. Bradshaw*

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TRANSCRIPT OF PROCEEDINGS

JUN - 1 1993

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

IN THE MATTER OF:

MM DOCKET NO. 93-52

CROZET, VIRGINIA

DATE OF CONFERENCE: May 14, 1993

VOLUME: I

PLACE OF CONFERENCE: Washington, D.C.

PAGES: 1-4

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IN THE MATTER OF:

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The above-entitled matter came on for pre-hearing conference pursuant to notice before Judge Edward Luton, Administrative Law Judge, at 2000 L Street, N.W., Washington, D.C., in Courtroom No. 1, on May 14, 1993 at 9:00 a.m.

APPEARANCES:

On Behalf of James Madison University:

RICHARD MARKS, Esquire  
MARGARET L. MILLER, Esquire  
Dow, Lohnes & Albertson  
1255 23rd Street, NW  
Suite #500  
Washington, D.C. 20554

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25	Conference Began: 9:00 a.m.	Conference Ended: 9:02 a.m.

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P R O C E E D I N G S

JUDGE LUTON: May I have the appearances, please, starting to my left?

MR. MARKS: Yes, good morning, Your Honor, I'm Richard Marks. This is Margaret Miller. We're with Dow, Lohnes & Albertson. We represent the Director and Board of Visitors of James Madison University.

JUDGE LUTON: No appearance by Community Educational Service Council, Inc., I take it. Have you heard from them at all?

MR. MARKS: We have not, Your Honor.

JUDGE LUTON: Not, all right. I'm going to dismiss that application where there's a motion pending requesting that I do just that. I could have avoided -- we all could have avoided the conference this morning had I gone ahead and done that but I wanted to let this time come to see what would happen. Now that nothing has happened I am determined to dismiss the application of Community Educational Service Council, Inc., and grant application for the Board of Visitors of James Madison. I will do that in writing and that will end this proceeding.

There is a motion to enlarge issues though that's pending and I won't act on that. By the way, there has been no response by Community Educational Service to that motion just as there has been no response to the motion requesting

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1 dismissal of its application. All those things coupled with  
2 its -- or added to its nonappearance here this morning  
3 practically requires that I dismiss that application and  
4 that's what I will do.

5 MR. MARKS: Thank you, Your Honor.

6 JUDGE LUTON: Could have saved us all some time if I  
7 had done this some days ago, but I believe the -- if I  
8 remember correctly the time for posing either the petition or  
9 the motion to dismiss landed fairly recently, in the last few  
10 days, so all right. Another conference down.

11 MR. MARKS: Thank you, Your Honor.

12 JUDGE LUTON: I will grant your application. Thank you  
13 very much for your attendance.

14 (Whereupon, the conference closed at 9:02 a.m.)  
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**CERTIFICATE OF REPORTER, TRANSCRIBER, AND PROOFREADER**

APPLICATION FOR CROZET, VIRGINIA

**Name**

MM DOCKET NO. 93-52

**Docket No.**

WASHINGTON, D.C.

**Place**

MAY 14, 1993

**Date**

We, the undersigned, do hereby certify that the foregoing pages, numbers 1 through 4, inclusive, are the true, accurate and complete transcript prepared from the reporting by JEFFREY M. YEATMAN in attendance at the above identified proceeding, in accordance with applicable provisions of the current Federal Communications Commission's professional verbatim reporting and transcription Statement of Work and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the proceeding and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the proceeding.

5/17/93

**Date**

James H. Lowell, Transcriber  
**Free State Reporting, Inc.**

May 19, 1993

**Date**

Diane S. Windell, Proofreader  
**Free State Reporting, Inc.**

May 19, 1993

**Date**

Marykae Fleishman, Reporter  
**Free State Reporting, Inc.**

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